

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

OPENAI, INC.,
COPYRIGHT INFRINGEMENT LITIGATION

This Document Relates To:

BALDACCI, et al. v. OPENAI, INC. et al., No.
1:25-md-3143-SHS-OTW

AUTHORS GUILD, et al. v. OPENAI, INC. et
al., No. 1:23-cv-08292-SHS-OTW

25-md-3143 (SHS) (OTW)

NOTICE OF MOTION

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the undersigned hereby moves this Court on behalf of OpenAI, Inc., OpenAI GP, LLC, OpenAI, LLC, OpenAI OpCo LLC, OpenAI Global LLC, OAI Corporation, and OpenAI Holdings, LLC, OpenAI Startup Fund GP I LLC, and OpenAI Startup Fund Management LLC (collectively, the “OpenAI Defendants”), by and through counsel, before the Honorable Sidney H. Stein, United States District Judge for the United States District Court for the Southern District of New York, 500 Pearl Street, Courtroom 23A, New York, New York 10007-1312, for an order dismissing Count I of the Consolidated Class Action Complaint, the cause of action for direct copyright infringement, to the extent it is based on allegedly infringing ChatGPT outputs, for failure to state a claim upon which relief may be granted pursuant to Fed. R. Civ. P. 12(b)(6).

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Respectfully submitted,

KEKER, VAN NEST & PETERS LLP

Dated: July 14, 2025

By: /s/ Michelle S. Ybarra
ROBERT A. VAN NEST (*pro hac vice*)*¹
RVanNest@keker.com
R. JAMES SLAUGHTER (*pro hac vice*)
RSlaughter@keker.com
PAVEN MALHOTRA
PMalhotra@keker.com
MICHELLE S. YBARRA (*pro hac vice*)
MYbarra@keker.com
NICHOLAS S. GOLDBERG (*pro hac vice*)
NGoldberg@keker.com
THOMAS E. GORMAN (*pro hac vice*)
TGorman@keker.com
KATIE LYNN JOYCE (*pro hac vice*)
KJoyce@keker.com
CHRISTOPHER S. SUN (*pro hac vice*)
CSun@keker.com
ANDREW S. BRUNS (*pro hac vice*)
ABruns@keker.com
ANDREW DAWSON (*pro hac vice*)
ADawson@keker.com
EDWARD A. BAYLEY (*pro hac vice*)
EBayley@keker.com
SARAH SALOMON
Ssalomon@keker.com
KEKER, VAN NEST & PETERS LLP
633 Battery Street
San Francisco, California 94111-1809
Telephone: (415) 391-5400
Facsimile: (415) 397-7188

Attorneys for Defendants
OPENAI, INC., OPENAI GP, LLC,
OPENAI, LLC, OPENAI OPCO LLC,
OPENAI GLOBAL LLC, OAI
CORPORATION, LLC, OPENAI
HOLDINGS, LLC

^{1*} All parties whose electronic signatures are included herein have consented to the filing of this

Dated: July 14, 2025

MORRISON & FOERSTER LLP

By: /s/ Tiffany Cheung

Joseph C. Gratz (*pro hac vice*)*

jgratz@mofo.com

Tiffany Cheung (*pro hac vice*)

tcheung@mofo.com

425 Market Street

San Francisco, CA 94105

Telephone: 415.268.7000

Rose S. Lee (*pro hac vice*)

roselee@mofo.com

707 Wilshire Boulevard, Suite 6000

Los Angeles, CA 90017

Telephone: 213.892.5200

Carolyn M. Homer (*pro hac vice*)

cmhomer@mofo.com

2100 L Street, NW, Suite 900

Washington, DC 20037

Telephone: 202.650.4597

Emily C. Wood

ewood@mofo.com

Eric K. Nikolaidis

enikolaides@mofo.com

250 West 55th Street

New York, NY 10019

Telephone: 212.468.8000

Attorneys for Defendants

OPENAI, INC., OPENAI GP, LLC, OPENAI,

LLC, OPENAI OP CO LLC, OPENAI

GLOBAL LLC, OAI CORPORATION, LLC,

OPENAI HOLDINGS, LLC

document, as contemplated by Rule 8.5(b) of the Court's ECF Rules and Instructions.

Dated: July 14, 2025

LATHAM & WATKINS LLP

By: /s/ Allison S. Blanco
Andrew M. Gass (*pro hac vice*)
andrew.gass@lw.com
San Francisco, CA 94111
Telephone: 415.391.0600
Sarang V. Damle
sy.damle@lw.com
Elana Nightingale Dawson (*pro hac vice*)
elana.nightingaledawson@lw.com
555 Eleventh Street, NW, Suite 1000
Washington, D.C. 20004
Telephone: 202.637.2200
Rachel R. Blitzer
rachel.blitzer@lw.com
Herman H. Yue
herman.yue@lw.com
Luke A. Budiardjo
luke.budiardjo@lw.com
1271 Avenue of the Americas
New York, NY 10020
Telephone: 212.906.1200
Allison S. Blanco (*pro hac vice*)
allison.blanco@lw.com
650 Town Center Drive 20th Floor
Costa Mesa, CA 92626
Telephone: 714.540.1235

Attorneys for Defendants
OPENAI, INC., OPENAI GP, LLC, OPENAI,
LLC, OPENAI OPCO LLC, OPENAI
GLOBAL LLC, OAI CORPORATION, LLC,
OPENAI HOLDINGS, LLC